Case 14-00035 Doc 6 Filed 04/03/14 Entered 04/03/14 12:40:39 Desc Main

Document Page 1 of 3

**Dated: April 03, 2014** 

The following is SO ORDERED:

George W. Emerson, Jr.
UNITED STATES BANKRUPTCY JUDGE

## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TENNESSEE

IN RE: PEARLIE K. BLACK,

Debtor.

**Case No. 13-27953-GWE** 

Chapter 13

PEARLIE BLACK,

**DEBTOR/PLAINTIFF** 

VS.

A.P. NO. 14-00035

WELLS FARGO HOME MORTGAGE, AND/OR WELLS FARGO BANK, N.A., AND/OR CITIBANK, NATIONAL ASSOCIATION AS TRUSTEE FOR WACHOVIA LOAN TRUST AND/OR WACHOVIA BANK, N.A.,

**DEFENDENTS** 

## CONSENT ORDER RESOLVING COMPLAINT TO DETERMINE EXTENT/VALIDITY OF LIEN

This Adversary Proceeding having come before the Court pursuant to the Complaint to Determine Extent/Validity of Lien filed by the Debtor filed on January 30, 2014, and it appearing to the Court that this Court has both *in personam* jurisdiction and subject matter jurisdiction over

Case 14-00035 Doc 6 Filed 04/03/14 Entered 04/03/14 12:40:39 Desc Main Document Page 2 of 3

Case No. 13-27953-GWE Chapter 13 Consent Order

Page 2 of 3

this controversy, and it further appearing to the Court, as evidenced by the signature of the attorney for the Debtor, Barbara Loevy, and counsel for Wells Fargo Bank, N.A., James Bergstrom, below, and the general appearance by Defendant Wells Fargo Bank, N.A., that the parties hereto agree that the lien against the Debtor's real property commonly known as 4268 Lawnview Street, Memphis, Tennessee 38109 (the "Property") has been released by evidence of the Trust Deed Release filed at Instrument no. 12100388 on November 6, 2012 in the Office of the Shelby County Register. Further, the debt secured by the Property has been charged off and is no longer due from the Debtor.

This order resolves all issues between Plaintiff and Defendant related to the mortgage previously serviced by Defendant Wells Fargo Bank, N.A. with regard to the Property and this Adversary Proceeding.

Each party shall be responsible for its own attorney fees.

Therefore, it is hereby **ORDERED** that this Adversary Proceeding be closed, and the Bankruptcy Court Clerk shall take all actions necessary to administratively close the instant Adversary Proceeding.

IT IS SO ORDERED.

APPROVED:

Attorney for the Debtor/Plaintiff:

/s/ Barbara R. Loevy Barbara R. Loevy 200 Jefferson Avenue, Suite 707 Memphis, TN 38103

/s/ Sylvia Ford Brown Chapter 13 Trustee

Case No. 13-27953-GWE Chapter 13 Consent Order

Page 3 of 3

Attorneys for Defendant Wells Fargo Bank, N.A.:

WILSON & ASSOCIATES, P.L.L.C. 5050 Poplar Avenue, Suite 115 Memphis, Tennessee 38157 (901) 578-9914

By: <u>/s/ James Bergstrom</u>

Joel W. Giddens (16700) James Bergstrom (20622) Theodore K. Cummins (24381)

## **NAMES AND ADDRESSES OF ENTITIES SERVED:**

Barbara R. Loevy
Attorney at Law
Trustee
200 Jefferson Avenue, Suite 707
Memphis, TN 38103
Sylvia F. Brown
Trustee
200 Jefferson Avenue, Suite 1113
Memphis, TN 38103

Pearlie K. Black
Debtor
James Bergstrom
5259 Laurel Home Cove
Theodore K. Cummins
Memphis, TN 38125
WILSON & ASSOCIA

WILSON & ASSOCIATES, P.L.L.C. 5050 Poplar Avenue, Suite 115 Memphis, Tennessee 38157

and ADDITIONAL PARTIES (if required) AS FOLLOWS: